

# PATENT COOPERATION TREATY

**PCT**

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents  
United States Patent and Trademark  
Office  
Box PCT  
Washington, D.C.20231  
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

<b>Date of mailing</b> (day/month/year) 14 September 2000 (14.09.00)	
<b>International application No.</b> PCT/GB00/00248	<b>Applicant's or agent's file reference</b> SMW/LP5829502
<b>International filing date</b> (day/month/year) 28 January 2000 (28.01.00)	<b>Priority date</b> (day/month/year) 28 January 1999 (28.01.99)
<b>Applicant</b> DEAN, Caroline et al	

1. The designated Office is hereby notified of its election made:

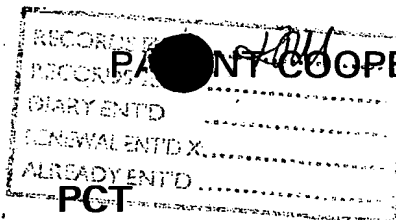
☒ in the demand filed with the International Preliminary Examining Authority on:  
12 July 2000 (12.07.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was  
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

<b>The International Bureau of WIPO</b> 34, chemin des Colombettes 1211 Geneva 20, Switzerland	<b>Authorized officer</b>  Juan Cruz
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38



From the INTERNATIONAL BUREAU

To:

WALTON, Seán, M.  
Mewburn Ellis  
York House  
23 Kingsway  
London WC2B 6HP  
ROYAUME-UNI



**NOTICE INFORMING THE APPLICANT OF THE  
COMMUNICATION OF THE INTERNATIONAL  
APPLICATION TO THE DESIGNATED OFFICES**

(PCT Rule 47.1(c), first sentence)

Date of mailing (day/month/year) 03 August 2000 (03.08.00)		
Applicant's or agent's file reference SMW/LP5829502		<b>IMPORTANT NOTICE</b>
International application No. PCT/GB00/00248	International filing date (day/month/year) 28 January 2000 (28.01.00)	
		Priority date (day/month/year) 28 January 1999 (28.01.99)
Applicant PLANT BIOSCIENCE LIMITED et al		

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this Notice:  
AU,JP,KP,KR,US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present Notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AE,AL,AM,AP,AT,AZ,BA,BB,BG,BR,BY,CA,CH,CN,CR,CU,CZ,DE,DK,DM,EA,EE,EP,ES,FI,GB,GD,  
GE,GH,GM,HR,HU,ID,IL,IN,IS,KE,KG,KZ,LC,LK,LR,LS,LT,LU,LV,MA,MD,MG,MK,MN,MW,MX,NO,  
NZ,OA,PL,PT,RO,RU,SD,SE,SG,SI,SK,SL,TJ,TM,TR,TT,TZ,UA,UG,UZ,VN,YU,ZA,ZW

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this Notice is a copy of the international application as published by the International Bureau on  
03 August 2000 (03.08.00) under No. WO 00/44918

**REMINDER REGARDING CHAPTER II (Article 31(2)(a) and Rule 54.2)**

If the applicant wishes to postpone entry into the national phase until 30 months (or later in some Offices) from the priority date, a demand for international preliminary examination must be filed with the competent International Preliminary Examining Authority before the expiration of 19 months from the priority date.

It is the applicant's sole responsibility to monitor the 19-month time limit.

Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination.

**REMINDER REGARDING ENTRY INTO THE NATIONAL PHASE (Article 22 or 39(1))**

If the applicant wishes to proceed with the international application in the national phase, he must, within 20 months or 30 months, or later in some Offices, perform the acts referred to therein before each designated or elected Office.

For further important information on the time limits and acts to be performed for entering the national phase, see the Annex to Form PCT/IB/301 (Notification of Receipt of Record Copy) and Volume II of the PCT Applicant's Guide.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer  J. Zahra
Facsimile No. (41-22) 740.14.35	Telephone No. (41-22) 338.83.38

**NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF  
THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES**

<b>Date of mailing (day/month/year)</b> 03 August 2000 (03.08.00)	<b>IMPORTANT NOTICE</b>
<b>Applicant's or agent's file reference</b> SMW/LP5829502	<b>International application No.</b> PCT/GB00/00248
<p>The applicant is hereby notified that, at the time of establishment of this Notice, the time limit under Rule 46.1 for making amendments under Article 19 has not yet expired and the International Bureau had received neither such amendments nor a declaration that the applicant does not wish to make amendments.</p>	

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>SMW/LP5829502</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/GB 00/ 00248</b>	International filing date (day/month/year) <b>28/01/2000</b>	(Earliest) Priority Date (day/month/year) <b>28/01/1999</b>
Applicant <b>PLANT BIOSCIENCE LIMITED et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

### 1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☒ furnished subsequently to this Authority in written form.

☒ furnished subsequently to this Authority in computer readable form.

☒ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☒ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

**METHODS AND MEANS FOR MODIFICATION OF PLANT CHARACTERISTICS USING THE VERNALIZATION GENE VRN2**

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. \_\_\_\_\_

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/GB 00/00248

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 00/00248

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C12N15/82 C07K14/415 C12Q1/68 C12N1/20 A01H5/00  
C07K16/16

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C12N C07K A01H

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	✓ WILSON A ET AL: "ANALYSIS OF THE MOLECULAR BASIS OF VERNALIZATION IN ARABIDOPSIS THALIANA" SEMINARS IN CELL AND DEVELOPMENTAL BIOLOGY, GB, ACADEMIC PRESS, vol. 7, no. 3, 1 January 1996 (1996-01-01), pages 435-440, XP000609514 ISSN: 1084-9521 page 439 -page 440	1-10, 15, 17, 46-54, 56, 57
X	CHANDLER, J., ET AL.: "arabidopsis mutants showing an altered response to vernalisation" THE PLANT JOURNAL, vol. 10, no. 4, 1996, pages 637-644, XP002139145 the whole document	1-10, 15, 17, 46-54, 56, 57
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Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

\* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&amp;" document member of the same patent family

Date of the actual completion of the international search

31 May 2000

Date of mailing of the international search report

20/06/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
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Authorized officer

Holtorf, S

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 00/00248

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	LEVY YARON Y ET AL: "The transition of flowering" PLANT CELL,US,AMERICAN SOCIETY OF PLANT PHYSIOLOGISTS, ROCKVILLE, MD, vol. 10, no. 12, December 1998 (1998-12), pages 1973-1989-1989, XP002132682 ISSN: 1040-4651 page 1982, left-hand column ---	1-10,15, 17, 46-54, 56,57
X	✓ BEVAN, M., ET AL. : "EU Arabidopsis sequencing project - unpublished" EMBL SEQUENCE DATA LIBRARY, 4 July 1997 (1997-07-04), XP002139150 heidelberg, germany accession no. Z97342 ---	11,13
A	✓ BANCROFT I ET AL: "THE DEVELOPMENT OF SYSTEMS FOR THE ISOLATION OF GENES FROM ARABIDOPSIS THALIANA BY CHROMOSOME WALKING IN YAC LIBRARIES: TOWARDS THE ISOLATION OF THE FLORAL INDUCTION GENE GCA. UP8.62" JOURNAL OF EXPERIMENTAL BOTANY,GB,OXFORD UNIVERSITY PRESS, vol. 42, no. 238, SUPPL, 7 April 1991 (1991-04-07), page 48 XP002018457 ISSN: 0022-0957 ---	
A	WO 96 38560 A (INNES JOHN CENTRE INNOV LTD ;DEAN CAROLINE (GB); MACKNIGHT RICHARD) 5 December 1996 (1996-12-05) ---	
A	ROBSON PAUL R H ET AL: "Genetic engineering of harvest index in tobacco through overexpression of a phytochrome gene." NATURE BIOTECHNOLOGY 1996, vol. 14, no. 8, 1996, pages 995-998, XP002075914 ISSN: 1087-0156 the whole document ---	
P,X	EP 0 967 278 A (MITSUI CHEMICALS INC) 29 December 1999 (1999-12-29) the whole document ---	11,12
T	PARKER, J.E., ET AL. : "the Arabidopsis downy mildew resistance gene RPP5 shares similarity to the toll and interleukin -1 receptors with N and L6" EMBL SEQUENCE DATA LIBRARY, 18 November 1999 (1999-11-18), XP002139151 heidelberg, germany accession no. AF180942 ---	

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## INTERNATIONAL SEARCH REPORT

International Application No.

PCT/GB 00/00248

## C. (Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
T	<p>SHELDON C ET AL: "The FLF.MADS box gene: a repressor of flowering in Arabidopsis regulated by vernalization and methylation" PLANT CELL, US, AMERICAN SOCIETY OF PLANT PHYSIOLOGISTS, ROCKVILLE, MD, vol. 11, no. 3, March 1999 (1999-03), pages 445-458-458, XP002119919 ISSN: 1040-4651 -----</p>	



# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 00/00248

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9638560	A	05-12-1996	AU 709423 B 26-08-1999
			AU 5906096 A 18-12-1996
			CA 2221092 A 05-12-1996
			EP 0832234 A 01-04-1998
			JP 11506001 T 02-06-1999
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EP 0967278	A	29-12-1999	AU 3681999 A 13-01-2000
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